

FEB 15 1995



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

#12


In re Applicant :
Kenneth Schofield et al. :
Serial No. 08/023,918 :
Filed: 02/26/93 :
For: **AUTOMOTIVE REARVIEW :**
 MIRROR SYSTEM USING :
 A PHOTSENSOR ARRAY :

**DECISION ON PETITION
TO WITHDRAW THE HOLDING
OF ABANDONMENT**

This is a decision on the petition requesting that the Notice of Abandonment be withdrawn, filed November 30, 1994. The application was held abandoned due to applicant's failure to respond to the Office action of April 6, 1994. Petitioner contends that a proper response to the Office action was submitted within the time period set for response.

The petition is granted.

Petitioner offers as evidence that a response was filed; a copy of the response, a copy of a petition requesting a three (3) month extension of time and a stamped U.S. Patent and Trademark Office post card receipt showing that the response was received by the Patent and Trademark Office on October 6, 1994. This evidence is sufficient to establish that applicant did respond to the Office action of April 6, 1994 in a timely manner. Further, a review of the application file indicates that the response submitted October 6, 1994, was received and placed in the file. Accordingly, the Notice of Abandonment, issued November 15, 1994, is hereby vacated. The application is being returned to the examiner in charge for appropriate action in due course. No petition fees are required.



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